

Remarks

In the outstanding Official Action, the Examiner:

- (1) acknowledged Applicants' previous election of Group I, Species 6, claims 23-25;
- (2) indicated that Applicants have not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 USC 120;
- (3) objected to the specification as failing to provide proper antecedent basis for the claimed subject matter, and required correction;
- (4) rejected claim 25 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention;
- (5) rejected claims 23-25 under 35 USC 102(e) as being anticipated by Estabrook et al. (U.S. Patent No. 5,911,706); and
- (6) rejected claims 23-25 under 35 USC 102(b) as being anticipated by Ensminger et al.

In response to Item 1 above, Applicants confirm the previous election to prosecute Group I, Species 6, claims 23-25 and also expressly reserve the right to prosecute all non-elected subject matter in related applications.

In response to Item 2 above, Applicants respectfully request reconsideration of the preliminary amendment filed on February 21, 2003. Alternatively, Applicants request clarification concerning which prior patent applications → are not in compliance for receiving the benefit of an earlier filing date under 35 USC 120.

In response to Item 3 above, Applicants have now amended claim 24 to replace "annulus" with -- annular space --, and to insert -- cam -- in line 6 after "directed", so as to more clearly define the claimed subject matter. Applicants traverse the objection of the specification failing to provide proper antecedent basis for the claimed subject matter with respect to disclosure in the specification of "an annulus", "inwardly directed protrusions", "opposed legs", "an inwardly-extending ridge", "the lock member", "the lock bolt legs", and "the lock bolt flanges". The specification at page 19, line 1, discloses an annular space 88 which is analogous to the claimed annular space. The specification, at page 21, line 6, discloses inwardly-protruding cam portions 136, which are analogous to the claimed inwardly directed protrusions. The specification, at page 19, line 9, discloses spaced apart opposed leg portions 102, which are analogous to the claimed opposed legs. The specification at page 19, lines

5 and 6, disclose an annular ridge 96, which is analogous to the claimed inwardly-extending ridge. The specification at page 19, line 2, discloses a lock member 90, which is analogous to the claimed lock member. The specification, at page 19, lines 7-9, discloses the bolt 98 is bifurcated at its distal end 100 (Fig. 7) to provide spaced apart opposed leg portions 102, which is analogous to the claimed lock bolt legs. The specification, at page 19, line 10 and line 18, discloses radially extending flange 104 and lock bolt flange 104, respectively, which are analogous to the claimed lock bolt flanges. Accordingly, the specification is believed to be allowable.

In response to Item 4 above, Applicants have now amended claim 25 so as to more clearly define the subject matter of the present invention. Claim 25, lines 13 and 14, has now amended to replace "lock member ridge" with -- inwardly-extending ridge --. Claim 25, lines 13 and 14, has now amended to replace "lock bolt legs" with -- opposed legs of the lock bolt --. Claim 25, line 15, has now been amended to replace "lock bolt flange" with -- flanges of the lock bolt --. Claim 25, line 4, has now been amended to replace "by" with -- of the opposed legs --. Accordingly, claim 25 is believed to be in condition for allowance, and allowance thereof is respectfully requested.

In response to Items 5 and 6 above, Applicants respectfully traverse the rejection of claims 23-25 under 35 USC 102(b) as being anticipated by Estabrook et al. (U.S. 5,911,706) or Ensminger et al. Independent claim 23 comprises lock means for locking a catheter to the housing, the lock means comprising a collet for receiving the catheter when the collet is in an open condition, and a lock member responsive to application of a cam means to close the collet with the catheter therein, to lock the catheter in the collet.

Applicants have carefully studied Estabrook et al. and Ensminger et al. Applicants believe that Estabrook et al. (U.S. 5,911,706) disclose a protective structure 16 surrounding the ends of a catheter, and protective structure 16 is attached to the cowling 14 and provides a means to retain the catheters to the device (column 8, lines 64-66). Applicants believe that Ensminger et al. disclose an exit nipple 112 for attachment to an implanted catheter 114 (Column 10, lines 14-15). Applicants further believe that both of these devices are static and do not disclose a lock member having a cam means to open and close a collet so as to lock the catheter to the housing. Accordingly, independent claim 23 is believed to be in

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condition for allowance, and allowance thereof is respectfully requested.

Claims 24 and 25, which depend either directly or ultimately from independent claim 23, are believed to be in condition for allowance for at least the above-identified reasons. Accordingly, allowance of claims 24 and 25 is respectfully requested.

In the event that any fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,

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